

JM


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
)	
vs.)	No. 05 CR 134
)	
LEPIZE Q. MONTGOMERY,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

Defendant has filed a section 2255 motion and moves for appointment of counsel and an appellate bond as well. All three motions are denied.

Defendant was convicted upon a plea of guilty. Although his restitution order is capped at \$593.63, the loss related to the count to which he plead guilty, the relevant conduct loss is far greater, exceeding \$200,000. The sentence was within the guidelines and less than the statutory maximum. This court lacks jurisdiction to review an otherwise lawful sentence, which this was. Defendant provides no valid reason why the sentence is subject to collateral attack, and we are unaware of any possible reasons.



JAMES B. MORAN
Senior Judge, U. S. District Court

Oct. 29, 2007.